

*Windows on Justice in Northern Iberia, 800-1000*, by Wendy Davies (Abingdon: Routledge, 2016; pp. xii + 291).

This exciting new book, Wendy Davies' second monograph on the Spanish early Middle Ages (after *Acts of Giving: Individual, Community and Church in Tenth-Century Christian Spain*, Oxford: OUP, 2007), makes an important contribution to our knowledge of judicial practice in early medieval Iberia. Happily, its insights can also be brought to bear on this much discussed subject in other European settings, including the Celtic societies on which Davies is an acknowledged authority, making it doubly important. Yet to see this new study as in some way a follow-up to *Acts of Giving* would be mistaken, for although both of these books are built upon in-depth analyses of the Iberian Peninsula's famously rich charter material, their aims are very different. Whereas *Acts of Giving* was a study of donation – Davies pausing only momentarily to reflect upon the nature of the instrument conveying information on her chosen subject – this book is a study of charters in their own right: their production, form, content, structure and language; as well as their use in judicial settings.

After a prologue that serves to introduce the reader to an (admittedly unusual) example of the documentary material at the heart of this study, there follows a comprehensive introduction to the corpus of known charters and its geographical dispersal throughout northern Iberia. Questions concerning scribal practice and the broader legal context are introduced in the first few pages, so as to offer welcome orientation. Historiography is dealt with next, and relatively breezily, a few signal contributions aside. Thus we learn that this book seeks to do more than respond to existing debates about standard procedure and judicial process at court. By way of summary, indeed, one might say that the author aims to look at, as well as through, the 'windows' of the book's title, so that the charters themselves be examined as both material objects and multivalent instruments of contract.

*Windows on Justice* is divided into two parts, the first of which, laconically titled 'The Texts', establishes a taxonomy of ten different types of charter that record, imply or refer to court cases.<sup>1</sup> Where possible Davies has consulted surviving 'single sheets', as well as documents copied into later medieval cartularies, and modern editions, where these latter exist. One might take issue with aspects of Davies' taxonomy – records of 'Mixed Type', for example, might be made to fit into one of her other categories without too much trouble – but there can be no doubt that the creation of a specific lexicon designed to make discussion of this large and otherwise unwieldy body of documents manageable, is one of the book's great insights. Also of much interest is the attention given to the material qualities of charters; consider, for example, how the spatial layout of the text of a charter on parchment remains a matter largely ignored by the editors of most modern editions and academic commentators. Davies shows here, however, that these considerations yield food for thought on the function of charters,

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<sup>1</sup> These are listed on p. 36: '(1) Accounts of the progress and resolution of a dispute; (2) Incidental references to a dispute in the course of a record whose main purpose was to record something else; (3) Fines, fees and compensations following a court case; (4) Confessions in court; (5) Agreements following a confession or other interaction; (6) Oaths taken in the course of a court case; (7) Implied disputes; (8) Mixed types; (9) Confiscations; and (10) Debts.'

some apparently being produced with ‘display’ in mind, others representing little more than the mundane recollections of practised local draughtsmen.

Part two, ‘Implications’, considers what the court cases recorded or referenced in charters supposed for the individuals involved in them. It also offers more general reflections on judicial practice. The results are very interesting: kings and counts presiding at court stand out in the record, but more striking still is the quotidian use of courts by a wide cross-section of society. For whom, and under whose command, then, did this system of courts operate? Was this a truly ‘public’ system? Dispensing with the conventional use of the terms ‘public’ and ‘private’, Davies suggests that for the provision of justice to be in the greater public interest, what mattered was not the involvement of the state or its agents, but the invocation of the Visigothic law, relatively stable and standard procedure across northern Iberia, and the prominence of legal officers.

A minor and rather uncommon quibble might be made at this point. On occasion this reviewer wished for more speculation and bolder pronouncements, since the author knows the material so well that her reflections on questions to which the texts cannot provide definitive answers are likely to be instructive. Yet Davies will not be drawn in detail on matters such as the likelihood of there having been a plethora of ‘texts behind the text’ – that is, of court proceedings generating a wealth of now lost written material. Shrewd observations of this sort are numerous, yet they are only inked in outline. We encounter, for instance, the deployment of two or three examples at every staging post *en route* to each paragraph’s argument, each example adding colour and substance in cumulatively compelling fashion. But the implications of the second half of this book are indeed implied rather than forced home.

The first half of the book, although somewhat didactic in tone, would serve as an excellent first port-of-call for graduate students grappling with this kind of material for the first time. It is also the best analysis of the materiality of northern Iberian charters known to this reviewer (in English or Spanish). It deserves to be read widely by all medieval historians interested in charters, judicial practice and the wider society that made such frequent use of the written word at court.

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